

**UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF TEXAS  
AUSTIN DIVISION**

<b>PNC BANK, N.A. COLUMBIA</b>	§	
<b>HOUSING SLP CORPORATION, and</b>	§	
<b>2013 TRAVIS OAK CREEK, LP</b>	§	
	§	
<b>Plaintiffs,</b>	§	<b>Case No. 1:17-cv-584-RP-ML</b>
	§	
<b>v.</b>	§	
	§	
	§	<b>consolidated with</b>
	§	<b>Case No. 1:17-cv-560-RP</b>
<b>2013 TRAVIS OAK CREEK GP, LLC,</b>	§	
<b>2013 TRAVIS OAK CREEK</b>	§	
<b>DEVELOPER, INC.,</b>	§	
<b>CHULA INVESTMENTS, LTD.,</b>	§	
<b>and RENE O. CAMPOS</b>	§	
	§	
<b>Defendants.</b>	§	

**UNOPPOSED MOTION FOR EXTENSION OF TIME TO FILE RESPONSE TO  
DEFENDANTS' MOTION TO APPOINT RECEIVER**

Plaintiffs PNC Bank, N.A. (“**PNC**”), Columbia Housing SLP Corporation (“**Columbia Housing**”), and 2013 Travis Oak Creek, LP (the “**Partnership**”) (collectively, “**Plaintiffs**”) respectfully move for an extension of time to file a response to the Motion to Appoint Receiver [ECF Doc. No. 120] (the “**Motion**”) filed by Defendant 2013 Travis Oak Creek GP, LLC, (the “**First GP**”).

**I. RELIEF REQUESTED**

Plaintiffs request that the Court extend the deadline by which they are required to file a response to the Motion through and including January 3, 2018.

Plaintiffs’ deadline to file a response to the Motion is currently set for Monday, December 18, 2017. Further, the Christmas and New Year’s holidays fall almost immediately thereafter. Given these facts, Plaintiffs seek an extension of time through January 3, 2018, so that they may adequately respond to the Motion, which seeks to appoint a receiver over the

Partnership. Given the extraordinary relief that the First GP requests from the Court, the additional time will allow Plaintiffs to fully brief this issue to the Court. Further, the Motion does not raise any issue that threatens any imminent or immediate harm; indeed, no entity is imminently threatening foreclosure or any other irreparable act at this time.

This motion is not brought for purposes of delay, but rather so that justice may be served. Counsel for Plaintiffs has conferred with Kenneth Chaiken, counsel for the First GP, and he has stated that he is unopposed to the relief requested in this Motion. Thus, Plaintiffs' request will not prejudice the First GP.

## **II. CONCLUSION**

For these reasons, Plaintiffs request that the Court extend their deadline to file a response to the Motion through and including January 3, 2018, and grant them such other relief to which they may be justly entitled.

Dated: December 14, 2017.

By: /s/ Robert M. Hoffman

Robert M. Hoffman

Texas Bar No. 09788200

[robhoffman@andrewskurth.com](mailto:robhoffman@andrewskurth.com)

James C. Bookhout

Texas Bar No. 24087187

[jamesbookhout@andrewskurth.com](mailto:jamesbookhout@andrewskurth.com)

**ANDREWS KURTH KENYON LLP**

1717 Main Street, Suite 3700

Dallas, Texas 75201

Telephone: (214) 659-4400

Facsimile: (214) 659-4401

David P. Whittlesey

Texas Bar No. 00791920

[dwhittlesey@andrewskurth.com](mailto:dwhittlesey@andrewskurth.com)

**ANDREWS KURTH KENYON LLP**

111 Congress Avenue, Suite 1700

Austin, Texas 78701

Telephone: (512) 320-9200

Facsimile: (512) 320-9292

**ATTORNEYS FOR PLAINTIFFS**

**PNC BANK, N.A., COLUMBIA HOUSING SLP  
CORPORATION, AND 2013 TRAVIS OAK  
CREEK, LP**

**CERTIFICATE OF CONFERENCE**

I certify that on December 13, 2017, I conferred via email with Kenneth Chaiken, counsel for the First GP, and he indicated that he is not opposed to the relief requested in this Motion.

/s/ Robert M. Hoffman

Robert M. Hoffman

**CERTIFICATE OF SERVICE**

I certify that on December 14, 2017, a copy of the foregoing document was served on all counsel of record in this case through the Court's CM/ECF facilities.

/s/ Robert M. Hoffman

Robert M. Hoffman